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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/776,091	02/10/2004	Kanti N. Patel	40092-03400	2349
31824	7590	05/20/2005	EXAMINER	
MCDERMOTT WILL & EMERY LLP			LEE, BENNY T	
18191 VON KARMAN AVE.			ART UNIT	
IRVINE, CA 92612-7107			PAPER NUMBER	
			2817	

DATE MAILED: 05/20/2005

Please find below and/or attached an Office communication concerning this application or proceeding.



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ART UNIT

EXAMINER

DATE MADE

☒ This application has been examined ☐ Responsive to communication filed on _____ ☐ This action is made final.

A shortened statutory period for response to this action is set to expire Three (3) month(s), from from the date of this letter.
Failure to respond within the period for response will cause the application to become abandoned. 35 U.S.C. 133

Part I THE FOLLOWING ATTACHMENT(S) ARE PART OF THIS ACTION:

- | | |
|---|---|
| 1. <input checked="" type="checkbox"/> Notice of References Cited by Examiner, PTO-892. | 2. <input type="checkbox"/> Notice re Patent Drawing, PTO-948. |
| 3. <input type="checkbox"/> Notice of Art Cited by Applicant, PTO-1449. | 4. <input type="checkbox"/> Notice of Informal Patent Application, Form PTO-152 |
| 5. <input type="checkbox"/> Information on How to Effect Drawing Changes, PTO-1474. | 6. <input type="checkbox"/> _____ |

Part II SUMMARY OF ACTION

1. ☒ Claims 1-20 are pending in the application.
Of the above, claims _____ are withdrawn from consideration.
2. ☐ Claims _____ have been cancelled.
3. ☒ Claims 7-12; 14-19 are allowed.
4. ☒ Claims 1, 3, 5, 6; 13; 20 are rejected.
5. ☒ Claims 2, 4 are objected to.
6. ☐ Claims _____ are subject to restriction or election requirement.
7. ☐ This application has been filed with informal drawings under 37 C.F.R. 1.85 which are acceptable for examination purposes.
8. ☐ Formal drawings are required in response to this Office action.
9. ☐ The corrected or substitute drawings have been received on _____. Under 37 C.F.R. 1.84 these drawings are ☐ acceptable; ☐ not acceptable (see explanation or Notice re Patent Drawing, PTO-948).
10. ☐ The proposed additional or substitute sheet(s) of drawings, filed on _____, has (have) been ☐ approved by the examiner; ☐ disapproved by the examiner (see explanation).
11. ☐ The proposed drawing correction, filed _____, has been ☐ approved; ☐ disapproved (see explanation).
12. ☐ Acknowledgement is made of the claim for priority under U.S.C. 119. The certified copy has ☐ been received ☐ not been received
☐ been filed in parent application, serial no. _____, filed on _____.
13. ☐ Since this application appears to be in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11; 453 O.G. 213.
14. ☐ Other

The disclosure is objected to because of the following informalities: Page 4, paragraph (0022), first line therein and page 5, paragraph (0023), fourth line therein, note that – (see fig. 2) – should follow “100” and “112”, respectively. Page 4, paragraph (0022), last line therein, note that “Septum” should be rewritten as – septum --. Page 5, paragraph (0023), third and fourth lines therein, note that reference labels (111, 114, 116) should each be reference with respect to – fig. 3 --.

Appropriate correction is required.

The disclosure is objected to because of the following informalities: Note that the following reference labels need description in the specification: Fig. 2, “T”; Fig. 3 (H. w); fig. 6 (622, 624, 632, 634).

Appropriate correction is required.

Claims 6, 13, 20 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claims 6, 13, 20, note that reference to “the same material as the waveguide polarizer” is vague in meaning in that no “material” has been strictly defined for the “waveguide polarizer”, thereby rendering meaningless any comparison of “material”.

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

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Claims 1, 3, 5, 6 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by Monaghan et al.

Monaghan et al (Fig. 1) discloses a device which compensates for polarization defects relative to circularly polarized waves. The polarization compensation is effected through a conductive waveguide structure (10) which is matched with and connected to adjacent conductive waveguide structure (24) which propagate a circularly polarized wave having a polarization defect. The polarization compensation structure can be rotated in such a manner as to provide a change in dimensional orientation (e.g. width, height, etc) of the waveguide aperture facing the dimensional orientation in the aperture of waveguide (24) to provide a proper compensation for the circular polarized wave received from waveguide (24).

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Chu and Ohm also pertain to arrangements for correcting or compensating for polarization defects.

Any inquiry concerning this communication should be directed to Benny Lee at telephone number (571)272-1764.

Lee/ds

05/09/05


BENNY T. LEE
PRIMARY EXAMINER
ART UNIT 2817